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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/620,563	07/20/2000	June Dianne Martin	52493.000102	3863

7590 01/06/2004

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EXAMINER

SHAFFER, ERIC T

ART UNIT PAPER NUMBER

3623

DATE MAILED: 01/06/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/620,563

Applicant(s)

MARTIN ET AL.

Examiner

Eric T. Shaffer

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 15 October 2003.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 9-32 and 41-46 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 9-32 and 41-46 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 20 July 2000 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This communication is in response to the amendments filed October 15, 2003.

Response to Amendment

2. Applicant has cancelled claims 1 – 8 and 33 – 40 and has not added any new claims.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 9 – 32 and 41 - 46 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ruffin et al (US 6,249,769) as applied to the claims above, in view of Dan et al (US 6,560,639).

As per claims 9 and 41, Ruffin et al discloses a system and method for implementing an image-based document handling and delivery system, comprising:

a planning component that gathers information about an infrastructure, a current document handling and delivery system and a methodology used by an entity (column 3, lines 57 – 58, “the present invention provides data gathering facilities for gathering information processing requirements”);

an implementation component that provides the entity with a plurality of process maps that provide a plurality of step-by-step instructions for executing the image-based document handling and delivery system (column 5, line 7, “a detailed flow diagram”);

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a control component that provides the entity with a plurality of contingency guidelines and procedures for monitoring and maintaining performance of the executed image-based document handling and delivery system, (column 4, lines 4 – 8, “input is solicited from the qualified customer via a profile template to identify, for each partition, information regarding the current state of each partition and any problems that have been identified for the partition, as well as the future information processing objectives for each partition”);

at least one process map of the entity’s existing document handling and delivery system at least a portion of the image-based document handling and delivery system (column 8, lines 49 – 50, “a graphical representation of the interrelationship of these programs and data is presented”);

information on a plurality of document formats for use with the image-based document handling and delivery system (column 13, line 58, “Issues/Challenges with current IT infrastructure”) and (column 21, line 21, “performance requirements”).

Ruffin does not teach definition of each document type with examples of each document type or a file name. It would be useful to incorporate these elements to make the system more user friendly and easier to use.

Dan et al teaches a system and method wherein the information on the plurality of document formats comprises:

a definition of each of the document types (column 3, line 30 - 31, “an optional operational manager may create or modify a definition of an object”);

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one or more examples of information covered by each of the document types (column 3 line 67 – column 4, line 2, “each binary file may include a text file, a graphical image, a video image, a data file or an audio file”);

a proposed file name for an imaged version of each of the document types (column 27, lines 3 - 4, “as long as the asset name remains the same, the user may use any file name to replace it.”).

It would have been obvious to one of ordinary skill in the art of project management to enhance a project management device such as the Ruffin et al invention with the additional documentation specific functionality of the Dan et al invention because documentation and the ability to manipulate documents be it electronic or print, is an essential component of any business system. The ability to store, change, reformat and save documents related to a project is necessary in order to communicate technical, project related concepts between the technical persons on a project team and the business people on the project planning and conception side of a project. The great advantage to adding the document manipulation aspects to the project management invention is to foster increased communications between technical and business persons, while increasing accuracy of said communications by creating a more detailed audit trail for a project.

5. As per claims 10, 20, 29 and 42, Ruffin teaches a system and method, wherein the information on the document formats is provided in a table form (figure 9).

6. As per claims 11, 12, 21, 43 and 44, Ruffin teaches a system and method, wherein the control component comprises:

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a planning component that gathers information about an infrastructure, a current document handling and delivery system and a methodology used by an entity (column 3, lines 57 – 58, “the present invention provides data gathering facilities for gathering information processing requirements”);

an implementation component that provides the entity with a plurality of process maps that provide a plurality of step-by-step instructions for executing the image-based document handling and delivery system (column 5, line 7, “a detailed flow diagram”);

a control component that provides the entity with a plurality of contingency guidelines and procedures for monitoring and maintaining performance of the executed image-based document handling and delivery system, (column 4, lines 4 – 8, “input is solicited from the qualified customer via a profile template to identify, for each partition, information regarding the current state of each partition and any problems that have been identified for the partition, as well as the future information processing objectives for each partition”).

Ruffin does not teach contingency guidelines for addressing and reporting errors. It would be useful to do this in order to make the system run smoother.

Dan does teach a plurality of contingency guidelines for addressing each of a plurality of predetermined errors and situations that may arise in the use of the image-based document handling and delivery system (column 24, lines 14 - 16, “the web management system may include known common typing errors and automatically check for and correct them”) and a reporting component that provides one or more reports on a plurality of performance factors relating to use of the image-based document handling and reporting system (column 3, lines 36 - 37, “an optional error manager may report any error”).

It would have been obvious to one of ordinary skill in the art of project management to enhance a project management device such as the Ruffin et al invention with the additional error reporting and handling functionality of the Dan et al invention because fixing errors would allow the system to run smoothly and prevent the system from ceasing to run at all in the case of a fatal error. The ability to report and handle errors makes a system more reliable and allows fewer persons being employed in trouble shooting errors, which saved a company money on maintenance costs.

7. As per claims 13, 22, 30 and 45, Rufflin teaches a system that incorporates business document management of questionnaires, lists, business solutions assessments and proposals that is accessible via the Internet. Ruffin does not teach listing, addressing and reporting errors. It would be useful to do this in order to help those in charge of managing the system to know what were the most common issues in need of trouble shooting.

Dan teaches a system and method, wherein the error resolution guidelines comprise a list of errors, identifying an occurrence for each of the errors, correcting each error, solutions for each error, communicating the errors, a time frame for correcting each errors, identity of entity responsible for confirming that an error occurrence has been corrected (column 24, lines 14 - 16, "the web management system may include known common typing errors and automatically check for and correct them"); (column 3, lines 36 - 37, "an optional error manager may report any error").

It would have been obvious to one of ordinary skill in the art of project management to enhance a project management device such as the Ruffin et al invention with the additional error reporting and handling functionality of the Dan et al invention because identifying errors

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would help those persons tasked with maintaining the system to more quickly respond to errors and to address what are the most common problems with a system. The ability to report and handle errors makes a system more reliable and allows fewer persons being employed in trouble shooting errors, which saved a company money on maintenance costs.

8. As per claims 14, 15, 23, 24, 32 and 46, Ruffin et al teaches a system and memory for implementing an image-based document handling and delivery system, comprising:

a list of a plurality of frequently asked questions about the image-based document handling and delivery systems and a corresponding answer for each of the frequently asked questions (column 13, line 40 – column 14, line 28 “Table 2 Customer Profiling Questions”);

a questionnaire for an entity to complete (column 9, line 65 – column 10, line 15, “Table 1, Sample Qualification Questionnaire”);

at least one process map that provides a plurality of steps for executing the image-based document handling and delivery system (column 8, lines 49 – 50, “a graphical representation of the interrelationship of these programs and the data presented”);

Ruffin et al does not teach information on document formats, error reports, or performance factor reports. It would be useful to do this in order to help those in charge of managing the system to know what were the most common issues in need of trouble shooting

Dan el al teaches:

information on a plurality of document formats for use with the image-based document handling and delivery system (column 24, lines 58 - 59, “the template field may include a document that controls the basic “look and feel” of the pages in a site”);

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a plurality of contingency guidelines for addressing a plurality of predetermined errors and situations that may arise in use of the image-based document handling and delivery system (column 24, lines 14 - 16, “the web management system may include known common typing errors and automatically check for and correct them”);

a reporting component that provides one or more reports on a plurality of performance factors relating to use of the image-based document handling and delivery system (column 23, lines 42 – 50, “an optional report feature may allow the user to run a variety of site management reports on the user's web site. Reports include, for example, the largest object files, the newest pages, the oldest pages, the pages by owner, the pages by structure, the largest assets, the oldest assets, the newest assets, the assets by owner, and/or the most frequently visited pages, and any combination thereof”).

It would have been obvious to one of ordinary skill in the art of project management to enhance a project management device such as the Ruffin et al invention with the additional documentation specific functionality of the Dan et al invention because documentation and the ability to manipulate documents and to identify and correct errors in said documents, be they electronic or print, is an essential component of any business system. The ability to store, change, reformat and correct documents related to a project is necessary in order to communicate technical, project related concepts between the technical persons on a project team and the business people on the project planning and conception side of a project. The great advantage to adding the document manipulation aspects to the project management invention is to foster increased communications between technical and business persons, while increasing accuracy of said communications by creating a more detailed audit trail on a project.

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9. As per claims 16 and 25, Ruffin et al discloses system and method for claim 1, wherein the planning component also provides the entity with information about the image-based document handling and delivery system (column 18, lines 44 – 47, “retrieving the particular solution implementation details from the database and incorporating them into a standard business solution proposal document”).

10. As per claims 17 and 26 Ruffin et al discloses a system and method, wherein the at least one process map comprises:

a process map of the entity's existing document handling and delivery system (column 6, lines 62 – 64, “a flow diagram which represents an overview of the present inventive process, system and program product”);

a process map for at least a portion of the image-based document handling and delivery system (column 8, lines 49 – 50, “a graphical representation of the interrelationship of these programs and data is presented”).

11. As per claims 18 and 27, Ruffin et al discloses a system and method, wherein the process map for the at least a portion of the image-based document handling and delivery system comprises:

a process map of a plurality of steps to be taken by the entity for executing the image-based document handling and delivery system (column 6, lines 62 – 64, “a flow diagram which represents an overview of the present inventive process, system and program product”);

a process map of a plurality of steps to be taken by a receiver of the document for executing the image-based document handling and delivery system (column 8, lines 49 – 50, “a graphical representation of the interrelationship of these programs and data is presented”).

12. As per claims 19 and 28 Ruffin et al teaches a system and method for evaluating, planning and implementing a business project. Ruffin teaches developing process maps as flow diagrams, project documentation and using questionnaires to define operational and technical issues. Ruffin et al does not teach contingency plans for errors, document information in table form or using performance factors to measure implementation of a project.

Dan et al teaches a system and method wherein the information on the plurality of document formats comprises:

a definition of each of the document types (column 3, line 30 - 31, “an optional operational manager may create or modify a definition of an object”);

one or more examples of information covered by each of the document types (column 3 line 67 – column 4, line 2, “each binary file may include a text file, a graphical image, a video image, a data file or an audio file”);

a proposed file name for an imaged version of each of the document types (column 27, lines 3 - 4, “as long as the asset name remains the same, the user may use any file name to replace it.”).

It would have been obvious to one of ordinary skill in the art of project management to enhance a project management device such as the Ruffin et al invention with the additional documentation specific functionality of the Dan et al invention because documentation and the

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ability to manipulate documents be it electronic or print, is an essential component of any business system. The ability to store, change, reformat and save documents related to a project is necessary in order to communicate technical, project related concepts between the technical persons on a project team and the business people on the project planning and conception side of a project. The great advantage to adding the document manipulation aspects to the project management invention is to foster increased communications between technical and business persons, while increasing accuracy of said communications by creating a more detailed audit trail for a project.

Response to Amendments

13. Applicant's arguments filed on October 30, 2002 have been fully considered, but the same are not persuasive.

a. Applicant argues that there is no suggestion to combine Ruffin and Dan. However, both the Ruffin and the Dan inventions have in common the same aspects of receive user input, manage and generate documents, are computer operable, contain databases, partition and segment data, have graphical user interfaces, produce charts and tables, incorporate the Internet, and Index reference data. Ruffin teaches a system that handles business documents such as questionnaires, lists of technology solutions, business deliverables documentation, cost-benefit analysis, workload estimates, and graphs. Dan teaches a system that manages the content of such documentation in a web-based environment. Since the document aspects of the Ruffin invention are Internet accessible (column 8, lines 31 - 32, "which may include additional computer systems via local or wide area networks or the Internet"), it would have been obvious to combine the two

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inventions in order to more fully realize the web-based functionality of the Internet capable Ruffin invention because the increased functionality would make the Ruffin documents easier to manipulate and use, saving a user time and effort. In addition, adding additional document manipulation aspects to the project management invention would also foster increased communications between technical and business persons, while increasing accuracy of said communications by creating a more detailed audit trail for a project.

b. Applicant argues that there is no reasonable expectation of success demonstrated in the prior art. However, Ruffin does teach use of a document management device that incorporates the Internet (column 7, line 20 and column 8, line 32) and therefore it is reasonable to expect that such an Internet capable invention would be successfully combined with an Internet web content system, which would merely expand the Internet functionality of the already Internet usable Ruffin document management invention.

Conclusion

14. THIS ACTION IS MADE FINAL. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

15. Any inquiry concerning this communication or earlier communications from the Examiner should be directed to Eric Shaffer whose telephone number is (703) 305-5283. The Examiner can normally be reached on Monday-Friday, 8:30 am - 5:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tariq Hafiz can be reached on (703) 305-9643. The fax number for the organization is (703) 305-0040/308-6306

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Receptionist whose telephone number is (703) 305-3900.

Eric Shaffer

December 30, 2003

Romana J. Leaty
Primary Examiner
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